

# Exhibit C

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

|                               |   |                          |
|-------------------------------|---|--------------------------|
| MEDRAD, INC.,                 | ) |                          |
|                               | ) |                          |
| Plaintiff,                    | ) | Civil Action No. 01-1997 |
|                               | ) |                          |
| v.                            | ) |                          |
|                               | ) |                          |
| TYCO HEALTHCARE GROUP LP,     | ) |                          |
| MALLINCKRODT INC., LIEBEL-    | ) |                          |
| FLARSHEIM CO., NEMOTO         | ) |                          |
| KYORINDO CO., LTD. and NEMOTO | ) |                          |
| MEDICAL US INC.,              | ) |                          |
|                               | ) |                          |
| Defendants.                   | ) |                          |

**DEFENDANTS', TYCO HEALTHCARE GROUP LP,  
MALLINCKRODT INC., AND LIEBEL-FLARSHEIM  
COMPANY, SUPPLEMENTAL RESPONSE TO PLAINTIFF  
MEDRAD'S SECOND SET OF INTERROGATORIES (NO. 6)**

Defendants Tyco Healthcare Group LP ("Tyco"), Mallinckrodt Inc. ("Mallinckrodt") and Liebel-Flarsheim Company ("L-F") (hereinafter Tyco, Mallinckrodt and L-F are referred to collectively as "Defendants"), pursuant to Rule 33 of the Federal Rules of Civil Procedure, respond herein to Plaintiff Medrad, Inc.'s First Set of Interrogatories (Nos. 1-5) Directed to Defendants Tyco Healthcare Group LP, Mallinckrodt Inc. and Liebel-Flarsheim Company as follows:

**GENERAL OBJECTIONS**

1. Defendants object to the Definitions and Instructions to the extent they seek to impose obligations on Defendants in excess of that required by the Federal Rules of Civil Procedure.

2. Defendants object to the Interrogatories on the grounds that each calls for production of documents that are protected by the attorney-client and/or work product privileges.

3. Defendants object to the Interrogatories to the extent they seek information, documents, or things not presently in the possession or control of Defendants.

4. Any response stating that documents responsive to the Interrogatory will be produced means documents will be produced only to the extent such documents, in fact, exist. Such a response is not a representation that such documents do, in fact, exist. Moreover, to the extent a document is responsive to more than one Interrogatory, it will be produced only in response to a single Interrogatory.

5. Defendants object to each Interrogatory that seeks information that may be obtained from documents containing both discoverable and non-discoverable information. Defendants reserve the right to redact documents and produce such redacted documents in response to an Interrogatory.

6. The following responses to the Interrogatories contain all the information reasonably available to Defendants at the time and of which Defendants have been able to assemble and analyze to date based upon reasonable inquiry and searching of those places reasonably believed to contain the information requested if such information exists. Defendants hereby reserve their rights to amend the responses in the event that additional information is obtained or in the event of error or inadvertent mistake or omissions.

7. Defendants' responses and further objections to the Interrogatories follow; each is deemed to incorporate the foregoing general objections.

## RESPONSES

6. Identify all prior art, prior uses or sales, prior knowledge and/or prior inventions that Mallinckrodt contends affects the validity of the '602 patent and state, for each identified piece of prior art, prior use or sale, prior knowledge and/or prior invention, which claims and which claim elements of the '602 patent each such identified piece of prior art, prior use or sale, prior knowledge and/or prior invention renders invalid, null and/or void.

### RESPONSE:

Defendants object to this interrogatory as overly broad and burdensome in that it calls for application of each piece of prior art to each claim and claim element. The prior art listed below has been thoroughly described and applied in the ITC proceeding involving the '648 reissue (whose claims are identical to the claims of the '602 patent) and the European Opposition to the counterpart to the '036 patent as to fully apprise Medrad of the relevance of the prior art. Moreover, the relevance of the prior art to the claims of the '602 patent is apparent on its face. See the prior art, prior uses or sales, prior knowledge and/or prior inventions referred to in the following:

- a. Defendants' Answer and Counterclaim to Second Amended Complaint;
- b. Mallinckrodt Inc.'s Responses to Complainant Medrad's First Set of Interrogatories (Nos. 1-23), Response No. 14, in International Trade Commission Investigation No. 337-TA-434;
- c. Mallinckrodt Inc.'s Responses to Complainant Medrad's Second Set of Interrogatories (Nos. 24-57), Response No. 37, in International Trade Commission Investigation No. 337-TA-434;
- d. Report of Robert A. Bell, Ph.D., Under Ground Rule 4 (viii) in International Trade Commission Investigation No. 337-TA-434;

- e. Opposition proceedings re: European Patent No. 0655220;
- f. Japanese patent 1-223943; U.S. Patent No. 4,006,736; U.S. Patent No. 4,044,757; Wolff, "Magnetization Transfer Contrast: MR Imaging of the Knee", Radiology, June 1991, pp. 623-628; and
- g. Medrad's document production, including the public uses and/or public knowledge regarding the MRI injector units provided by Medrad to Massachusetts General Hospital, the University of Kentucky, West Penn Hospital, the National Institute of Health, Baylor University, the NMRI Institute, the University of Washington, St. Joseph's Hospital, Duke University, and the University of Iowa Hospitals and Clinics prior to November 26, 1992.

TYCO HEALTHCARE GROUP LP  
MALLINCKRODT INC.  
LIEBEL-FLARSHEIM COMPANY

Dated: July 15, 2002

By: 

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Defendants', Tyco Healthcare Group LP, Mallinckrodt Inc., and Liebel-Flarsheim Company, Supplemental Response to Medrad, Inc.'s Second Set of Interrogatories (No. 6) was served this 15th day July, 2002, on the following counsel of record in the following manner.

**Via First Class Mail**

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